

RECEIVED
CENTRAL FAX CENTER

JUN 08 2005

Fax Cover Sheet

ESTÉE
LAUDER
COMPANIES

DATE: June 8, 2005 TIME: 7:59 PM
TO: Examiner Jyothsna A. Venkat Ph.D. PHONE: (571) 272-1600
GAU 1615 FAX: (703) 872-9308
FROM: Dorene M. Price PHONE: (631) 414-6087
Estée Lauder Companies FAX: (631) 744-3594
RE: Statement of Substance of Interview
CC:

Number of pages including cover sheet: 7

Message

Please see the attached documents.

Transmittal Form

Statement of Interview Summary (5 pp.)

The information contained in this facsimile message is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original to us at the above address via the US Postal Service. Thank you.

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM	Application Number	09/324,182
	Filing Date	June 2, 1999
	First Named Inventor	Shah et al.
	Art Unit	1615
	Examiner Name	Jyothsna A. Venkat Ph.D.
(to be used for all correspondence after initial filing)		
Total Number of Pages in This Submission	7	Attorney Docket Number 98.21US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement of Substance of Interview-5pp Fax Cover Sheet
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Estee Lauder Companies		
Signature	<i>Dorene Price</i>		
Printed name	Dorene M. Price		
Date	June 8, 2005	Reg. No.	43,018

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>Dorene Price</i>		
Typed or printed name	Dorene M. Price	Date	June 8, 2005

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9189 and select option 2.

RECEIVED
CENTRAL FAX CENTER

JUN 08 2005

98.21

Attorney Docket No.: 98.21US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Shah, et al.

Serial No.: 09/324,182

Group Art Unit: 1615

Filed: June 2, 1999

Examiner: Jyothsna A. VENKAT

For: Non-Tacky Mascara Composition

Applicant's Statement of Interview Summary

Commissioner for Patents

Alexandria, VA 22313-1450

Dear Sir:

Following is the Applicant's Statement of Interview Summary concerning an Interview that took place on April 25, 2005 and for which the Examiner's Summary was mailed on May 9, 2005. The Interview was initiated by the Examiner.

By this statement, Applicant attests that the Interview Summary provided by the Examiner is correct and all amendments described therein are correctly stated. Upon review of the amendments, Applicants make one modification to the amendment of Claim 30. The Examiner's summary indicates that "or vegetable" is to be deleted from Claim 30. This amendment, however, would leave the term "fruit" without an article precedence. Therefore, Applicants amend Claim 30 to remove "fruit or vegetable" and add "apple extract," a term for which there is article precedence within Claim 30. Amendments to the claims are presented in relation to the most recent claim set, that shown in the Appeal Brief of January 28, 2004.

Respectfully submitted,



Dorene M. Price, Reg. No. 43,018
Estée Lauder Companies
Suite 345 South
155 Pinelawn Road
Melville, NY 11747
(631) 414-6087

98.21

Participants: Jyothsna A. VENKAT
Dorene M. Price

Date of Interview: April 25, 2005

Type: Telephonic

Exhibits: None

Claims Discussed: as of Record, 1-8, 10-30

Agreement on the claims was reached.

All agreed upon amendments are shown in the claim presentation that follows.